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10/711,732	09/30/2004	Lee George LABORCZFALVI	2006579-0245 (CTX-113)	5731

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CHOATE, HALL & STEWART / CITRIX SYSTEMS, INC.
TWO INTERNATIONAL PLACE
BOSTON, MA 02110

EXAMINER
NGUYEN, VAN H

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/711,732	LABORCZFALVI ET AL.
	Examiner	Art Unit	
	VAN H. NGUYEN	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 September 2004</u>.

2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-37</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>30 September 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>12/06/04;5/18/06;6/15/08</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)   **Office Action Summary**   Part of Paper No./Mail Date 20090329

DETAILED ACTION

1.   This action is responsive to the application filed 09/30/2004.

      Claims 1-37 are presented for examination.

Information Disclosure Statement

2.   The Applicants' Information Disclosure Statements (filed 12/06/04, 05/18/06, and 04/15/08)

      have been received, entered into the record, and considered. Copies of PTO 1449 form are

      attached.

Drawings

3.   The drawings filed 09/30/2004 are accepted by the examiner.

Specification

4.   The lengthy specification has not been checked to the extent necessary to determine the
      presence of all possible minor errors. Applicant's cooperation is requested in correcting
      any errors of which applicant may become aware in the specification.

      The specification is objected to because of the following informalities:

      Paragraph [0001] should be ended with a ".". Appropriate correction is required.

Claim Objections

5.   Claims 9-11, 21, and 37 are objected to because of the following informalities:

Claim 9: (e) [line 2] should be deleted;

Claim 10: (f) [line 2] should be deleted;

Claim 11: (g) [line 2] should be deleted;

Claim 21: (d) [line 2] should be deleted; and

Claim 37 should be ended with a ".".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 USC § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
subject matter which the applicant regards as his invention.

Claims 16-18 are is rejected under 35 USC § 112, second paragraph, as being indefinite
for failing to particularly point out and distinctly claim the subject matter which applicant
regards as the invention.

Claim 16: the phrase "wherein step (a) further comprises" [line 1] renders the claim
indefinite. There is no step (a) defined in claim 15.

Claim 17: the phrase "wherein step (b) further comprises" [line 1] renders the claim
indefinite. There is no step (b) defined in claim 15.

Claim 18: the phrase "wherein step (c) further comprises" [line 1] renders the claim
indefinite. There is no step (c) defined in claim 15 or claim 17.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

Claims 1-37 are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter.

Claims 1-24 recite "a method". However, the claims do not require a particular machine

or apparatus, nor do these claims transform any article into a different state or thing.

According, Claims 1-24 are not directed to statutory subject matter under 35 U.S.C. §

101.

Claim 25 recites a "system" comprising a "redirector" and a "chooser tool". As

currently recited the "system" comprises only computer software element(s). Thus, the

claim is a program per se and does not fall within any of the four enumerated

categories of patentable subject matter in section 101.

For the same reasons discussed supra with respect to independent claim 25, dependent

claims 26-37 fall outside the scope of § 101.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this
country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States
before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States
before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a)
shall have the effects for purposes of this subsection of an application filed in the United States only if the international application
designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-37 are rejected under 35 U.S.C. 102(b) as being anticipated by **Brooks et al.**

(US 6047312 A).

As to claim 1:

Brooks teaches a method for associating a file type of a file with one or more programs

(method… provides a system for associating files with relevant application programs in a

network…Each application object also includes file type information associated with the

application… file type information corresponding to the selected file…the current

information is available to associate a particular file type extension with an application;

see the Abstract and Figs.2-7), the method comprising the steps of:

receiving a request to store in a configuration store file type association information;

determining from the request an application program to be associated with a file type in

the configuration store; and writing to the configuration store an association of the file

type with a chooser tool *([W]hen a user logs onto the network, the file type information is*

retrieved from each accessible application object. The application launcher stores the

retrieved information in the local memory of the user workstation. When a file is selected

at the user workstation, the user workstation checks its local memory for the file type

information corresponding to the selected file. Because the information is periodically

updated by the application launcher, the current information is available to associate a

particular file type extension with an application stored remotely… The user

workstations on the network include a system, for example an application launcher, for

calling the application objects to identify which applications are available to the user or

the workstation and for retrieving the file type information from the network server. The

application launcher gathers the file type information and related information for each of

the accessible applications and stores it in the local memory of the user workstation.

Such updating of the file type information may be performed periodically, for example

during a refresh cycle or upon logging onto the network, to ensure that the user

workstations and the network server contain consistent information.

When a file is selected at the user workstation, the user workstation checks its local

memory for the file type information corresponding to the selected file. Because the

information is periodically updated by the application launcher, the current information

is available to associate a particular file type extension with an application stored

remotely. As a result, the appropriate application may be suitably initiated. In addition,

because the file type information is stored with the application object, the file type

information may be easily modified by adjusting the data stored in the application object.

Consequently, individual adjustments to the local memories of the various workstations

are unnecessary to update the file type information; see the Abstract; col.2, lines 19-57;

See also, and Figs.2-7 and the associated text) .

As to claim 2:

Brooks teaches intercepting the request by one of a user mode hooking mechanism, a

kernel mode hooking mechanism, a file system filter driver, and a mini-driver (*See*

Figs.2-7 and the associated text).

As to claim 3:

Brooks teaches the request comprises updating an entry of a file type association in the

configuration store (*See Figs.2-7 and the associated text).*

As to claim 4:

Brooks teaches the request comprises creating a new entry of a file type association in the

configuration store (*See Figs.2-7 and the associated text).*

As to claim 5:

Brooks teaches the chooser tool provides a user interface listing one or more application programs to invoke to access a file associated with the file type (*See Figs.2-7 and the associated text*).

As to claim 6:

Brooks teaches providing an association of the application program with the file type in a chooser tool configuration store (*See Figs.2-7 and the associated text*).

As to claim 7:

Brooks teaches the configuration store comprises the chooser tool configuration store (*See Figs.2-7 and the associated text*).

As to claim 8:

Brooks teaches the configuration store comprises a registry database (*See Figs.2-7 and the associated text*).

As to claim 9:

Brooks teaches selecting a file associated with the file type to invoke an application program, and invoking the chooser tool in response to selecting the file (*See Figs.2-7 and the associated text*).

As to claim 10:

Brooks teaches displaying by the chooser tool a list of one or more application programs associated with the file type (*See Figs.2-7 and the associated text*).

As to claim 11:

Brooks teaches invoking, by the chooser tool, a selected application program in one of a system scope, an application isolation scope, and a user isolation scope (*See Figs.2-7 and the associated text*).

As to claim 12

Brooks teaches one of the application program, the file, the configuration store, and the chooser tool are associated with one of a system scope, an application isolation scope, and a user isolation scope within an isolation environment (*See Figs.2-7 and the associated text*).

As to claim 13:

Brooks teaches the chooser tool is the default application program associated with the file type (*See Figs.2-7 and the associated text*).

As to claim 14:

Brooks teaches associating a second file type with the chooser tool in the configuration

store (*See Figs.2-7 and the associated text*).

As to claim 15:

Brooks teaches method for invoking an application program associated with a file type

(*method... provides a system for associating files with relevant application programs in a*

network...Each application object also includes file type information associated with the

application... file type information corresponding to the selected file...the current

information is available to associate a particular file type extension with an application;

see the Abstract and Figs.2-7), the method comprising the steps of:

selecting a file to invoke an application program, the file associated with a file type;

obtaining, in response to selecting the file, a reference to a chooser tool associated with

the file type from a configuration store, the configuration store comprising file type

association information; invoking the chooser tool in response to selecting the file, the

chooser tool displaying a list of one or more application programs to access the selected

file (*[W]hen a user logs onto the network, the file type information is retrieved from each*

accessible application object. The application launcher stores the retrieved information

in the local memory of the user workstation. When a file is selected at the user

workstation, the user workstation checks its local memory for the file type information

corresponding to the selected file. Because the information is periodically updated by the application launcher, the current information is available to associate a particular file type extension with an application stored remotely… The user workstations on the network include a system, for example an application launcher, for calling the application objects to identify which applications are available to the user or the workstation and for retrieving the file type information from the network server. The application launcher gathers the file type information and related information for each of the accessible applications and stores it in the local memory of the user workstation. Such updating of the file type information may be performed periodically, for example during a refresh cycle or upon logging onto the network, to ensure that the user workstations and the network server contain consistent information.

When a file is selected at the user workstation, the user workstation checks its local memory for the file type information corresponding to the selected file. Because the information is periodically updated by the application launcher, the current information is available to associate a particular file type extension with an application stored remotely. As a result, the appropriate application may be suitably initiated. In addition, because the file type information is stored with the application object, the file type information may be easily modified by adjusting the data stored in the application object. Consequently, individual adjustments to the local memories of the various workstations are unnecessary to update the file type information… The application launcher 50 then displays the icons associated with the accessible applications. In addition, application launcher 50 reconfigures the information in the registry 58 to include the file

type information in the local registry 58 for each of the accessible application objects 49

(step 224). In particular, the application launcher 50 reconfigures the registry

information so that if a match between a file type extension and an application object 49

occurs, the application launcher 50 is called, regardless of the relevant application

object 49. In a preferred embodiment, the application launcher 50 reconfigures the

registry 58 such that the application launcher 50 is called only if an application object 49

is called, and not in the event that a locally stored program is desired. As described in

greater detail below, the application launcher 50 then initiates execution of the relevant

application 23, checks the command line parameters in the application object 49 for the

particular application 23, and provides the file name to the application 23 in the proper

format...The application launcher 50 maintains an internal list of application objects 49

for which icons are currently displayed.... Any differences detected are reflected in the

internal list and other internal data of the application launcher 50 and in the icons

displayed on the user station 16 screen... The user may also select a specific application

23 and order the application launcher 50 to initiate execution of the selected application

23... user may select a particular file for access, for example by positioning the cursor

over the file name or icon and double-clicking the appropriate mouse button; see the

Abstract; col.2, lines 19-57; col.9, line 22-col.10, line 10; See also, and Figs.2-7 and the

associated text).

As to claim 16:

Brooks teaches selecting the file to invoke the application program by clicking on the file

one or more times (*See Figs.2-7 and the associated text*).

As to claim 17:

Brooks teaches obtaining a list of one or more application programs associated with the

file type of the selected file from a chooser tool configuration store (*See Figs.2-7 and the*

associated text).

As to claim 18:

Brooks teaches the chooser tool displaying at least one of the one or more application

programs associated with the file type obtained from the chooser tool configuration store

(*See Figs.2-7 and the associated text*).

As to claim 19:

Brooks teaches the configuration store comprises the chooser tool configuration store

(*See Figs.2-7 and the associated text*).

As to claim 20:

Brooks teaches the configuration store comprises a registry database (*See Figs.2-7 and*

the associated text).

As to claim 21:

Brooks teaches invoking an application program selected from the list displayed by the

chooser tool (*See Figs.2-7 and the associated text*).

As to claim 22:

Brooks teaches invoking the selected application program in one of a system scope,

application isolation scope and a user isolation scope (*See Figs.2-7 and the associated*

text).

As to claim 23:

Brooks teaches one of the application program, the file, the configuration store and the

chooser tool are associated with one of a system scope, an application isolation scope,

and a user isolation scope within an isolation environment (*See Figs.2-7 and the*

associated text).

As to claim 24:

Brooks teaches the chooser tool is the default application program associated with the file

type in the configuration store (*See Figs.2-7 and the associated text*).

As to claim 25:

Brooks teaches a system for invoking a program associated with a file type *(a system for associating files with relevant application programs in a network...Each application object also includes file type information associated with the application...file type information corresponding to the selected file...the current information is available to associate a particular file type extension with an application; see the Abstract and Figs.2-7)*, the system comprising:

a redirector obtaining a request to store file type association information in a configuration store, and determining from the request a file type to be associated with an application program in the configuration store; a chooser tool configured to provide a selection of one or more application programs to invoke for accessing a file associated with the file type; and the redirector writing to the configuration store to associate the file type with the chooser tool *([W]hen a user logs onto the network, the file type information is retrieved from each accessible application object. The application launcher stores the retrieved information in the local memory of the user workstation. When a file is selected at the user workstation, the user workstation checks its local memory for the file type information corresponding to the selected file. Because the information is periodically updated by the application launcher, the current information is available to associate a particular file type extension with an application stored remotely... The user workstations on the network include a system, for example an application launcher, for*

calling the application objects to identify which applications are available to the user or the workstation and for retrieving the file type information from the network server. The application launcher gathers the file type information and related information for each of the accessible applications and stores it in the local memory of the user workstation. Such updating of the file type information may be performed periodically, for example during a refresh cycle or upon logging onto the network, to ensure that the user workstations and the network server contain consistent information.

When a file is selected at the user workstation, the user workstation checks its local memory for the file type information corresponding to the selected file. Because the information is periodically updated by the application launcher, the current information is available to associate a particular file type extension with an application stored remotely. As a result, the appropriate application may be suitably initiated. In addition, because the file type information is stored with the application object, the file type information may be easily modified by adjusting the data stored in the application object. Consequently, individual adjustments to the local memories of the various workstations are unnecessary to update the file type information; see the Abstract; col.2, lines 19-57; See also, and Figs.2-7 and the associated text) .

As to claim 26:

Brooks teaches the redirector comprises one of the following to intercept the request: a user mode hooking mechanism, a kernel mode hooking mechanism, a file system filter driver, and a mini-driver (*See Figs.2-7 and the associated text*).

As to claim 27:

Brooks teaches the chooser tool comprises a user interface to display the selection of the

one or more application programs (*See Figs.2-7 and the associated text*).

As to claim 28:

Brooks teaches a chooser tool configuration store for storing an entry associating the file

type with the application program of the request (*See Figs.2-7 and the associated text*).

As to claim 29:

Brooks teaches the redirector initiates an action to write the entry to the chooser tool

configuration store (*See Figs.2-7 and the associated text*).

As to claim 30:

Brooks teaches the configuration store comprises the chooser tool configuration store

(*See Figs.2-7 and the associated text*).

As to claim 31:

Brooks teaches the configuration store comprises a registry database (*See Figs.2-7 and

the associated text*).

As to claim 32:

Brooks teaches the chooser tool displays at least one application program associated with the file type obtained from the chooser tool configuration store (*See Figs.2-7 and the associated text*).

As to claim 33:

Brooks teaches the chooser tools invokes an application program selected from the list (*See Figs.2-7 and the associated text*).

As to claim 34:

Brooks teaches an isolation environment for isolating access by the application program to native resources provided by an operating system (*See Figs.2-7 and the associated text*).

As to claim 35:

Brooks teaches the isolation environment comprises one of a system scope, an application isolation scope, and a user isolation scope (*See Figs.2-7 and the associated text*).

As to claim 36:

Brooks teaches one of the system scope, the application isolation scope, and the user

isolation scope comprises one of the application program, the file, the configuration store,

and the chooser tool (*See Figs.2-7 and the associated text*).

As to claim 37:

Brooks teaches the chooser tool invokes the selected application program in one of the

system scope, the application isolation scope, and the user isolation scope (g) executing

the custom procedure with the custom parameters, the custom procedure being identified

by the message identifier (*See Figs.2-7 and the associated text*).

Conclusion

9.   The prior art made of record, see PTO 892, and not relied upon is considered pertinent to

applicant's disclosure. Applicant should review these references carefully before

responding to this office action.

Contact Information

10.   Any inquiry or a general nature or relating to the status of this application should
       be directed to the TC 2100 Group receptionist: (571) 272-2100.

       Any inquiry concerning this communication or earlier communications from the
       examiner should be directed to VAN H. NGUYEN whose telephone number is (571)
       272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-
       6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the
       examiner by telephone are unsuccessful, the examiner's supervisor, MENG-AI AN can
       be reached at (571) 272-3756.

       The fax phone number for the organization where this application or proceeding is
       assigned is (571) 273-8300.

       Information regarding the status of an application may be obtained from the Patent
       Application Information Retrieval (PAIR) system. Status information for published
       applications may be obtained from either Private PAIR or Public PAIR. Status
       information for unpublished applications is available through Private PAIR only. For
       more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
       have questions on access to the Private PAIR system, contact the Electronic Business
       Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO
       Customer Service Representative or access to the automated information system, call
       800-786-9199 (IN USA OR CANADA) or 571-272-1000.

       /VAN H NGUYEN/
       Primary Examiner, Art Unit 2194